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**IN THE  
UNITED STATES  
PATENT AND TRADEMARK OFFICE**

**IN RE APPLICATION OF:** Warren et al.

**CASE:** IOM-P043

**SERIAL NO.:** 10/707,794

**FILED ON:** January 13, 2004

**FOR:** The Use Of 5 Fluorourcil,  
Delivered By Inotophoresis As  
An Inhibitor Of Cell  
Proliferation In The Eye,  
Bulbar And Palpebral  
Conjunctiva, Eyelid, ...

**SUPPLEMENTAL  
INFORMATION  
DISCLOSURE  
STATEMENT**

COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

**ATTENTION OF:**

**EXAMINER:**

Dear Sir:

If any charges or fees must be paid in connection with the following communication, they may be paid out of our Deposit Account No. 50-0545.

This Supplemental Information Disclosure Statement ("IDS") is submitted pursuant to 37 CFR § 1.56. The filing of this "information disclosure statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in § 1.56(b)." See 37 CFR § 1.97(h).

Because the IDS is being provided within three months of the filing of this application, Applicants submit the IDS without fee.

**FACTOR & LAKE, LTD.**  
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Edward L. Bishop	39110
William J. Lenz	44208
Joseph M. Kinsella Jr.	45743
Nick S. Lee	54260

If any other charges or fees must be paid in connection with the following com If any other charges or fees must be paid in connection with the following communication, they may be paid out of our Deposit Account No. 50-0545.

Respectfully submitted,

FACTOR & LAKE, LTD.

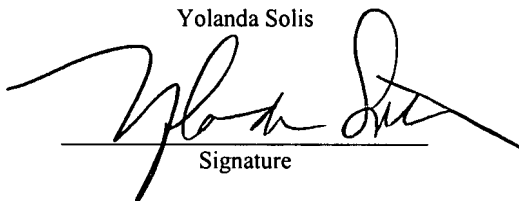
Dated: June 6, 2007

  
\_\_\_\_\_  
Joseph M. Kinsella Jr.  
One of Attorneys for Applicant

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Patent Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 6, 2007.

Yolanda Solis

  
\_\_\_\_\_  
Signature



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**STATEMENT OF BASIS  
FOR RELEVANCE OF  
FOREIGN LANGUAGE  
DOCUMENTS  
IDENTIFIED IN  
SUBMITTED PTO-1449**

COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

**ATTENTION OF:**

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Dear Sir:

If any charges or fees must be paid in connection with the following communication, they may be paid out of our Deposit Account No. 50-0545.

<b>PUBLICATION NO.</b>	<b>PUBLICATION DATE</b>	<b>BASIS FOR RELEVANCE</b>
JP 5-49702	02/03/1993	To prevent the generation of the disease such as erythema and bulla by selecting the positive and negative polarity applied on a pair of electrodes, which are set on a living body epidermis, keeping an interval, and gradually varying the electric current on the start of electric conduction and in the polarity selection.

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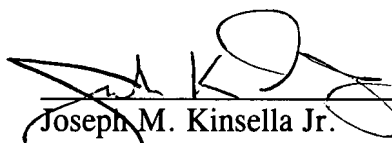
The device has an active product reservoir (15) and is designed to apply the product onto the eye of a patient. The device has at least one active electrode in the reservoir, a passive electrode and a current generator. The active electrode (11) is a surface, which is arranged with respect to ocular tissue at the periphery of the cornea. The current generator has a nominal current density less than  $10 \text{ mA/cm}^2$ , but preferably  $0.1.5 \text{ mA/cm}^2$ . It includes a controller which permits constant application of the current during a period between 30 s and 10 min, preferably 1-10 min. The reservoir or the active electrode are annular. The reservoir has an internal diameter ( $d_i$ ) with  $D \leq d_i \leq 1.2D$ , where  $D$  designates the cornea diameter, and an external diameter ( $d_e$ ) with  $1.4 D \leq d_e \leq 1.8 D$  and preferably  $1.4 D \leq d_e \leq 1.7 D$ .

Should anything further be required, a telephone call to the undersigned at (312) 226-1818 is respectfully invited.

Respectfully submitted,

FACTOR & LAKE, LTD.

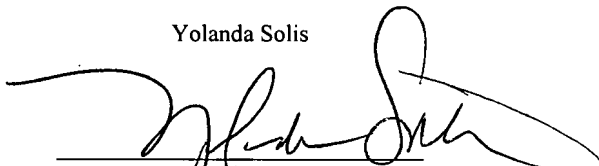
Dated: June 6, 2007

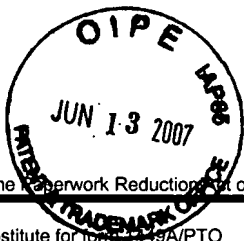
  
\_\_\_\_\_  
Joseph M. Kinsella Jr.  
One of Attorneys for Applicant

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Yolanda Solis

  
\_\_\_\_\_  
Signature



Substitute for form PTO

# **SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

## **Complete if Known**

Application Number	10/707,794
Filing Date	January 13, 2004
First Named Inventor	Warren
Art Unit	
Examiner Name	
Attorney Docket Number	IOM-P043

Sheet 1 of 2

## **U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code <sup>2</sup> (if known)			
		US-5,298,017	03/29/1994	Theeuwes et al.	
		US-			
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## **FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)				
		WO 99/40967	08/19/1999	Hadasit Medical Research Services ...		
		WO 00/51620	09/08/2000	Vitreo-Retinal Technologies, Inc.		
		EP 0 927 560 A1	07/07/1999	Optisinvest Curacao		
		JP 5-49702	03/02/1993	Teijin Ltd.		
		WO 01/91853 A1	12/06/2001	Biophoretic Therapeutic Systems, LLC		
		WO 03/007961A1	01/30/2003	lomed, Inc.		

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**Complete if Known**

Application Number	10/707,794
Filing Date	January 13, 2004
First Named Inventor	Warren et al.
Art Unit	
Examiner Name	

Sheet	2	Of	2	Attorney Docket Number	IOM-P043
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[illegible]

Examiner Signature		Date Considered	
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